IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.523 OF 2007

Dinesh Bodulal Dixit ..Applicant
V/s
The State of Maharashtra ..Respondent.

Mr. S.V. Shirsat, Advocate for the applicant.

Mr. U.V. Nikam, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 2ND MARCH, 2007.

P.C.

. Heard Mr. Shirsat,learned Counsel for the applicant and Mr. Nikam, learned APP for the State.

2. The applicant seeks anticipatory bail in Crime No. 331/3006 registered at Sarkarwada Police Station, Nasik for the offence punishable under section 420 of Indian Penal Code r/w section 66 and 75 of Information Technology Act, 2000.

3. The prosecution case, in brief, is that from three accounts maintained by different customers with UTI Bank, Pandit Colony Branch, Nasik, an amount of Rs. 2,53,000/- was unlawfully transferred to the account of one Yogendra Umrankar on 25/10/2006 with the help of

internet operation. Some staff members of the Bank were also involved in this crime. The report was lodged by Branch Manager and it was revealed that the present applicant had taken the account number of Yogendra Umrankar from him and had transferred the said amount from three different accounts to the account of Yogendra Umrankar on 25/10/2006. Because of friendly relationship, he informed Yogendra that he required the amount by cheque because he was going abroad. Having transferred the amount in his account, on 26/10/2006 the present applicant obtained a cheque for the amount of Rs. 2,47,000/- from Yogendra and encashed the same on 1st November, 2006. Thus, out of the amount of Rs. 2,53,000/- transferred from different accounts to the account of Yogendra, the amount of Rs. 2,47,000/- was finally received by the present applicant. The present applicant claims to be innocent. According to him, Yogendra told the applicant that he would transfer the amount of Rs. 2,47,000/- in his account and after coming over to Mumbai, he would receive the amount from the present applicant. Taking into consideration the statements of certain persons including one Opina, who is a Naizerian citizen, prima facie it appears that the offence was committed by the present applicant and he

used the said amount for his personal benefit. The offence is serious and in my opinion it requires thorough investigation, which is not possible unless the present applicant is taken in custody.

4. For the aforesaid reasons, the application for anticipatory bail stands rejected.

(J.H. BHATIA, J.)